

# EPISCOPACY

(As established by Law in *England*)

NOT PREJUDICIAL

TO 74 & 38. 24.

## REGAL POWER.

*A Treatise written in the time  
of the Long Parliament,*

By the special Command of the  
late KING.

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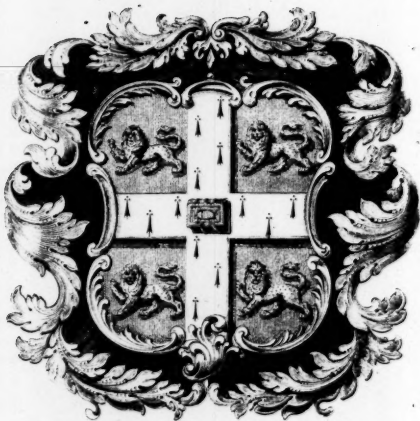
And now published by the  
Right Reverend Father in God  
**ROBERT SANDERSON**  
Lord Bishop of *Lincoln*,

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**L O N D O N,**

Printed by *R. Norton*, for *Timothy Garthwait*  
in *St. Pauls Church-yard*, 1661.

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Academiae Cantabrigiensis  
Liber.

1525:80



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TO THE  
Most High and Mighty *King*  
CHARLES the II<sup>d</sup>.

By the Grace of God,  
King of Great *Britain, France* and  
*Ireland*, Defender of the  
Faith, &c.

Most Gracious and Dread Sovereign,



*That I take the boldness humbly to  
present this short discourse to  
your Majesties Sacred hand and  
piercing eye; it is upon this  
one and onely account, that how  
mean soever the performance be, the un-  
dertaking was in obedience to the command  
of a most Gracious Master, your Majesties  
Royal Father of Blessed Memory. The Occa-  
sion this, when the Army had gotten the King  
into their own custody out of the hands of  
those that had long holden him in durance at  
Holdenby : to put a blind upon the world,  
they*

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## The EPISTLE

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*they made a shew of much good towards him, which (as soon after appeared) they never meant him. Amongst other the pompous civilities, wherewith (the better to cloak their hypocrisie) they entertained him; it was their pleasure to vouchsafe him the attendance of some of his own Chaplains: which, though it could merit little (for such a kindness could not with justice have been denyed to a far meaner person;) was yet a boon his former Goalers thought too big for him. In that Summer Progress (such as it was) four of us of his own naming, with the Clerk of his Closet, were suffered to wait upon him. In which time of waiting, (which was in August MDCXLVII.) His Majesty, being then at Hampton-Court, one day called me to him, and told me he had a little work for me to do. Some about him, it seems, had been often discoursing with him about EPISCOPACT, as it was claimed and exercised by the Bishops within this Realm. which (whether out of their good-will to him, or their no-good-will to the Church, I am not able to say,)*  
they

## DEDICATORY.

*they had endeavoured to represent unto him, as not a little derogatory to the REGAL AUTHORITY, as well in the point of Supremacy, as of Prerogative: in the one, by claiming the function as of Divine Right; in the other, by exercising the Jurisdiction in their own names. His Majesty said farther, that he did not believe the Church-Government by Bishops as it was by Law established in this Realm, to be in either of the aforesaid respects, or any other way prejudicial to his Crown; and that he was in his own judgement fully satisfied concerning the same: yet signified his pleasure withal, that for the satisfaction of others I should take these two Objections into consideration, and give him an Answer thereunto in writing. In Obedience to which his Majesties Royal pleasure, after my return home, I forthwith (according to my bounden duty) addressed myself to the work; and was drawing up an Answer to both the Objections, as well as I was able; with a purpose to present the same (as soon as it should be finished) to his Majesty in writing,*

A 3

## The EPISTLE

*writing, upon the first offered opportunity. But behold, before I could bring the business ad umbilicum, and quite finish what was under my hand, the Scene of affairs was strangely changed. The King trepann'd into the Isle of Wight; the mask of Hypocrisie, by long wearing now grown so thin and useless, that it was fit for nothing but to be thrown by; no kind of impiety and villany, but durst appear bare-faced and in the open Sun; high insolencies to the contempt of Authority every where committed; Majesty it self trampled upon by the vilest of the People; and the hearts of all loyal honest men sadly oppressed with griefs and fears. Yet had the men who steered the Publick as they listed, (that they might give themselves the more recreation, amuse the world anew, and grace the black Tragedy they were acting with the more variety,) a mind to play one game more the next year; to wit, the Treaty at the aforesaid Isle of Wight. Where, as soon as I understood, that by his Majestie's nomination, I was to give my attendance; I looked out the old*  
Papers

## DEDICATORY.

*Papers which I had laid aside a good while before ; made up what was then left unfinished, and took the Copy with me to the Isle ; thinking that when the Treaty should be ended ( for whilst it lasted his Majesty was taken up with other thoughts and debates of higher concern ) I might possibly have the opportunity to give his Majesty an account thereof. What became of that Treaty, and what after ensued, is so well known to the world, that there is no need, and withal so sad, that it can be no pleasure, to remember. But thenceforward were those Papers laid aside once again, and destined to perpetual silence, had not a debate lately started, concerning one of the principal points therein handled, occasioned some persons of eminent place and esteem in the Church ( and one of them conscious to the aforesaid command laid upon me by the late King, ) to desire a sight of those Papers. Which being by their encouragement now made publick ( though having little other to commend them, either to the world but Truth and Plainness, or to your Majesty but that*

A 4

they

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# The EPISTLE, &c.

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*they had their first rise from his command  
whose Throne and Vertues you inherit;) I  
humbly beseech your Majesty graciously to ac-  
cept; together with the Prayers of*

LONDON,  
August 10.  
MDCLXI.

Your Majesties most  
Loyal Subject and  
devoted Servant

ROBERT LINCOLN.

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By

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## By the KING.

*A PROCLAMATION, Declaring  
that the proceedings of his Majesties Eccle-  
siastical Courts and Ministers, are ac-  
cording to the Lawes of the Realm.*



**V**hereas in some of the Li-  
bellous books and Pam-  
phlets lately published,  
The most Reberend fa-  
thers in God, the Lords  
Arch-Bishops and Bishops of this  
Realm, are said to have usurped up-  
on his Majesties Prerogative Royal,  
and to have proceeded in the high  
Commission and other Ecclesiastical  
Courts, contrary to the Laws and  
Statutes of this Realm; It was or-  
dered by his Majesties high Court of  
Star-Chamber, the Twelfth day of  
June last, that the opinion of the two  
Lords chief Justices, the Lord chief  
Baron, and the rest of the Judges and  
Barons should be had and certified in  
those particulars, viz. whether Pro-  
cesses

## A Proclamation.

cesses may not issue out of the Ecclesiastical Courts in the Name of the Bishops. Whether a Patent under the great Seal be necessary for the keeping of the Ecclesiastical Courts, and enabling Citations, Suspensions, Excommunications, and other censures of the Church. And whether Citations ought to be in the Kings name, and under his Seal of Arms, and the like for Institutions and Inductions to Benefices, and Correction of Ecclesiastical offences. Whether Bishops, Arch-Deacons and other Ecclesiastical persons may or ought to keep any visitation at any time unless they have express Commission or Patent under the great Seal of England to do it, and that as his Majesties Visitors only, and in his name and Right alone.

Whereupon, his Majesties said Judges having taken the same into their serious consideration, did unanimously concur and agree in opinion, and the first day of July last certified under their hands as followeth, That Processes may issue out of the Ecclesiastical



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## A Proclamation.

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tical Courts in the name of the Bishops; and that a Patent under the great Seal is not necessary for the keeping of the said Ecclesiastical Courts, or for enabling of Citations, Suspensions, Excommunications and other Censures of the Church; And that it is not necessary that Summons, Citations, or other Proseses Ecclesiastical in the said Courts, or Institutions, or Inductions to Benefices, or correction of Ecclesiastical offences by Censure in those Courts, be in the Kings name or with the style of the King, or under the Kings Seal, or that their Seals of Office have in them the Kings Arms; And that the Statute of Primo Edwardi Sexti, cap. secundo, which enacted the contrary, is not now in force: And that the Bishops, Arch-Deacons and other Ecclesiastical persons, may keep their Citations as usually they have done, without Commission under the great Seal of England so to do: which opinions and resolutions being declared under the hands of all his Majesties said Judges, and so certified into his Court

## A Proclamation.

Court of Star-Chamber, were there recorded: and it was by that Court further ordered the fourth day of the said moneth of July, that the said certificate should be inrolled in all other his Majesties Courts at Westminster, and in the High Commission, and other Ecclesiastical Courts, for the satisfaction of all men, That the proceedings in the High Commission and other Ecclesiastical Courts are agreeable to the Laws and Statutes of the Realm.

And his Royal Majesty hath thought fit, with advice of his Council, that a publick Declaration of these the opinions and resolutions of his Reverend and Learned Judges, being agreeable to the Judgement and Resolutions of former times, should be made known to all his Subjects, as well to vindicate the legal proceedings of His Ecclesiastical Courts and Ministers, from the unjust and scandalous imputation of invading or encroaching on his Royal Prerogative, as to settle the minds and stop the mouths of all unquiet Spirits, that  
for

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## A Proclamation.

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for the future they presume not to censure his Ecclesiastical Courts or Ministers in these their Just and warranted proceedings: And hereof his Majesty admonisheth all his Subjects to take warning as they shall answer the contrary at their perils.

Given at the Court at *Lyndhurst* the 18. day of *August*, in the 13. year of his Majesties Raigh.

*God save the King.*

Imprinted at *London* by *Robert Barker*,  
Printer to the Kings most Excellent  
Majesty, and by the Assignes  
of *John Bill*, 1637.

*Pri-*

Primo Julii 1637.

*The Judges Certificate concerning  
Ecclesiastical Jurisdiction.*

*May it please your Lordships,*

**A**Ccording to your Lordships Order made in his Majesties Court of Star-Chamber the Twelfth of *May* last, we have taken consideration of the particulars, wherein our Opinions are required by the said Order, and we have all agreed,

That Processes may issue out of the Ecclesiastical Courts in the name of Bishops, and that a Patent under the great Seal is not necessary for the keeping of the said Ecclesiastical Courts, or for the enabling of Citations, Suspensions, Excommunications or other Centures of the Church. And that it is not necessary that Summons, Citations, or other Processes Ecclesiastical in the said Courts, or Institutions, or Inductions to Benefices, or Correction of Ecclesiastical offences by censure in those Courts,

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Courts, be in the Kings name, or with the Style of the King, or under the Kings Seal, or that their Seals of Office have in them the Kings Arms. And that the Statute of *Primo Eduardi Sexti Cap. 2.* which enacted the contrary, is not now in force,

We are also of opinion, That the Bishops, Archdeacons and other Ecclesiastical persons may keep their Visitations as usually they have done without Commission under the great Seal of *England* so to do,

*Jo. Bramstone.*

*Jo. Finch.*

*Humfrey Davenport.*

*Will. Jones.*

*Jo. Dinham.*

*Richard Hutton.*

*George Croke.*

*Tho. Trevor.*

*George Vernon.*

*Ro. Berkley.*

*Fr. Crawley.*

*Ric. Weston.*

Inrolled in the Courts of Exchequer,  
Kings Bench, Common Pleas, and  
Registered in the Courts of High  
Commission and Star-Chamber.

EPIS.




# EPISCOPACY

not Prejudicial to Regal  
Power.

## SECT. I.

*The two great Objections proposed.*

I.  E that shall take the pains to inform himself rightly, what power *the Kings of England* have from time to time claimed and exercised in *Causes* and over *Persons Ecclesiastical*; as also by whom, how, and how far forth their said *Power* hath been from time to time either *opposed*, or *maintained*: shall undoubtedly find that no persons in the  
B world

## 2 *Episcopacy not Prejudicial*

world have more freely acknowledged, and both by their writings and actions more zealously, judiciously and effectually asserted *the Sovereign Ecclesiastical power of Kings*, then the Protestant *Bishops* and *Divines* (whom our new Masters have been pleased of late to call *the Prelatical party*) in the Church of England have done. Yet so far hath *prejudice* (or something else) prevailed with some persons of quality in these times of so much looseness and distraction; as to suffer themselves to be led into a belief, or at leastwise to be willing the people should be deceived into the belief of these *two things*. *First*, that the Opinion which maintaineth *the Jus divinum of Episcopacy* is destructive of *the Regal power*. And *secondly*, that *Episcopal Jurisdiction*, as it was exercised before and at the beginning of this present *Parliament*,

was



was derogatory from the honour of *the King*, and prejudicial to the just Rights and *Prerogatives of his Crown*

II. Truly, they that know any thing of the practises and proceedings of *the Anti-prelatical party*, cannot be ignorant, that their aims (these or whatsoever other pretensions notwithstanding) are clearly to enlarge their own *power* by lessening the *Kings*, and to raise their own *estates* upon the ruins of the *Bishops*. And therefore howsoever the aforesaid pretensions may seem at the first appearance to proceed from a sense of *Loyalty*, and a tenderneſs of ſuffering any thing to be continued in the kingdom which might tend to the leaſt *diminution of his Majesties juſt power & greatness*. yet, (till their *actions* look otherwiſe then for ſome time paſt they have done) the pretenders

B 2

muſt

#### 4 *Episcopacy not Prejudicial*

must give us leave to think that their meaning therein is rather to do *the Bishops* hurt, then to do *the King* service; and that their affections (so far as by what is visible we are able to judge thereof) are much what alike the same towards *them both*. But to leave their *Hearts* to the judgement of him to whom they must *stand* or *fall*: for the just defence of *truth*, and that (so far as we can help it) *the people* be not abused in this particular also, as in sundry others they have been, by such men, as are content to use *the Kings name* when it may help on *their own designs*; I shall first set forth *the two main Objections* severally to the best advantage of *the Objectors*; and then endeavour by a clear and satisfactory *answer* to discover the weakness and vanity of them both.

III. *The former objection.* Where-

as in the *Oath of Supremacy* the supreme power Ecclesiastical is acknowledged to be in the *King alone*; and by the *Statute of 1. Eliz.* all jurisdictions and preeminencies Spiritual and Ecclesiastical within the Realm of England are restored to the *Crown* as the ancient right thereof, and forever united and annexed thereunto: the *Bishops* claiming their power and jurisdiction to belong unto them as of *divine right*, seemeth to be a manifest violation of the said *Oath* and *Statute*, and a real diminution of the *Regal power* in and by the said *Oath* and *Statute* acknowledged and confirmed. For whatsoever power is of *divine right*, is immediatly derived from *God*, and dependeth not upon any earthly *King* or *Potentate* whatsoever as superiour thereunto. These two terms, to be from *Heaven*, and to be of *Men*, being used in the

Scriptures as terms opposite and inconsistent, and such as cannot be both truly affirmed of the same thing.

IV. *The latter objection.* Setting aside the dispute of *jus divinum*, and whatsoever might be said either for or against the same: the very exercising of *Episcopal jurisdiction* in such a manner as it was with us, *the Bishops* issuing out their *Summons*, giving *Censures*, and acting every other thing in the Ecclesiastical Courts, *in their own* and not in *the Kings name*, seemeth to derogate very much from *the Regal power* in the point of Ecclesiastical Sovereignty. For whereas the Judges in *the Kings Bench*, *Common Pleas*, and other Common-Law-Courts do issue out their *Writts*, and make all their *Judgments, Orders, Decrees, &c.* in *the Kings name*; thereby acknowledging-

ledging both their Power to be depending upon, and derived from *the Kings* authority, and *themselves* in the exercise of that Power to be but his *Ministers* sent and authorzied by him ; and so give him the just honour of his *Supremacy temporal*: The Bishops on the other side exercise a *spiritual power or jurisdiction in their own names*, and as it were by their own authority, without any the least acknowledgment of the efflux or emanation of that *power or jurisdiction* from *the King*. Which custom as it had undoubtedly its first rise, and after-growth from the exorbitant greatness of *the Bishops of Rome*, who have usurped an unjust authority as well over *Kings and Princes*, as over their *Fellow-Bishops*, laboured all they could to lessen the authority of *Kings*, especially in *matters Ecclesiastical*: so is the continu-

ance therof no otherwise to be esteemed then as a rag or relique of that *Anti-Christian* tyranny, which was retained (as some other things also of evil consequence were) in those imperfect beginnings of *Reformation*, when the *Popes* power was first abrogated under *King Henry the Eighth*. But it was afterwards in a more mature and perfect reformation taken in to consideration in the *Raign of King Edward the Sixth*: and remedy provided there-against by an *Act of Parliament* made in the first year of his *Raign*. Wherein it was enacted, that *all Summons, Citations, and other Proccesses Ecclesiastical should be made in the Kings name and with the style of the King, as it is in Writts original and judicial at the Common Laws*; and that the *Teste* thereof only should be in the name of the *Bishop*.

V. It is true indeed that this *Statute of King Edward* was within a few years after *repealed*, and so the old usage and form again restored *primo Mariae*, and hath ever since so continued during the Raigns of the said Queen, of *Queen Elizabeth*, of *K. James*, and of *his Majesty that now is* until this present *Parliament*, without any alteration or interruption. But the repealing of the *Statute of primo Edw. 6.* and the reception of the former usage insuing thereupon, ought not to be alleaged by the *Bishops*, or to sway with any *Protestant*: inasmuch as that repeal was made by *Queen Mary*, who was a professed *Papist*, and who together with that form of proceeding in the *Ecclesiastical Courts* restored also the whole *Popish Religion*, whereof that was a branch. Neither ought the un-interrupted continuance of the said form  
under

under *Queen Elizabeth* and the succeeding *Kings*, (whether it happened through inadvertency in the State, or through the incessant *artifices* and practises of the more active *Bishops*, some or other whereof had alwayes a prevalent power with those *Princes* in their severall Raigns) to hinder ; but that, as the said manner of proceeding was in the said first year of *Edward 6.* by the *King* and the three *Estates in Parliament* adjudged to favour the usurped power of the *Bishops of Rome*, and to trench upon the *Kings* just and acknowledged authority in matters *Ecclesiastical* (as by the preamble of the said *Act* doth sufficiently appear;) so it ought to be still no otherwise esteemed then as a branch of the *Papal usurpation*, highly derogatory to the honour of the *King*, and the rights of his *Crown*. This is (as I conceive)  
the



the sum of all that hath been, and the utmost of what (I suppose) can be said in this matter.

## THE II. SECTION

*In answer to the former Objection.*

I. **W**Hereunto I make answer as followeth. To the former *Objection*, I say *first*, that it is evidently of no force at all against those *Divines*, who for the maintenance of *Episcopacy* lay their claim under another notion, and not under that of *Jus Divinum*. Which expression, for that it is (by reason of the *ambiguity* thereof) subject to be *mistaken*, and that captious men are so willing to *mistake* it for their own advantage, might peradventure without loss of  
Truth

*Truth*, or prejudice to *the Cause*, be with as much prudence laid aside as used, as in this, so in sundry other disputes and controversies of these Times.

I I. If it shall be replied, that then belike *the Proctors for Episcopacy* are not yet well agreed among themselves by what *title* they hold: and that is a shrewd prejudice against them, that they have *no good title*. For it is ever supposed he that hath a good title, knoweth what it is: and we are to presume the *power* to be usurped, when he that useth it cannot well tell how he came by it. I say therefore *secondly*, that *the difference* between the Advocates for *Episcopacy* is rather in *the different manner* of expressing the same thing, then in their *different judgement* upon the substance of *the matter*. The one sort making choise of *an expression* which

which he knoweth he is able to make good against all gainfayers, if they will but understand him aright: the other out of *wariness* or *condescension* forbearing *an expression*, (no necessity requiring the use of it,) which he seeth to have been subject to so much *mis-construction*.

III. For the truth is, all this ado about *Jus divinum* is in the last result no more then a meer *verbal nicety*: that term being not alwayes taken in one and the same latitude of *signification*. Sometimes it importeth a *divine precept* (which is indeed the *primary* and most *proper* signification:) when it appeareth by some clear exprefs and peremptory *command* of God in his word, to be *the will of God* that the thing so commanded should be perpetually and universally observed. Of which sort, setting aside *the Articles of the Creed*, and *the Moral*

*ral duties of the Law* (which are not much pertinent to the present enquiry) there are, as I take it, very few things that can be properly said to be of *divine positive right* under the *New Testament*. The Preaching of the *Gospel*, and administration of the *Sacraments* are *two*: which when I have named, I think I have named all.

IV. But there is a *secondary* and more *extended* signification of that term, which is also of frequent use among *Divines*. In which sense such things, as having *no express command* in the word, are yet found to have authority and warrant from the *institution, example, or approbation* either of *Christ* himself, or his *Apostles*; and have (in regard of the importance and usefulness of the *things* themselves) been held, by the *consentient judgement* of all the Churches of  
Christ

Christ in *the primitive* and *succeeding* ages, needful to be continued: such things I say are (though not so *properly* as the former, yet) usually and *interpretativè* said to be of *Divine Right*. Of which sort I take the observation of the *Lords day*, the ordering of *the Keys*, the distinction of *Presbyters and Deacons*, and some other things (not all perhaps of equal consequence) to be. Unto *Jus divinum* in that former acception is required a *Divine Precept*: in this later, it sufficeth thereunto that a thing be of *Apostolical institution or practice*. Which *ambiguity* is the more to be heeded, for that the observation thereof is of great use for the avoyding of sundry *mistakes* that through the ignorance or neglect thereof daily happen to the engaging of men in endless *disputes*, and entangling their consciences in unnecessary *scruples*.

V. Now

V. Now, that the Government of the Churches of Christ by *Bishops* is of *divine right* in that first and stricter sense, is an *Opinion* at least of great *probability*, and such as may more easily and upon better grounds be *defended* then *confuted*: especially if in expounding those *Texts* that are alleaged for it we give such deference to the authority of the Ancient *Fathers* and their *expositions* thereof, as wise and sober men have alwayes thought it fit we should do. Yet because it is both *inexpedient* to maintain a *dispute* where it needs not, and *needless* to contend for *more*, where *less* will serve the turne: I finde that our *Divines* that have travailed most in this *Argument*, where they *purposely* treat of it, do rather chuse to stand to the tenure of Episcopacy *ex Apostolicâ designatione*, then to hold a  
con-

contest upon the title of *jus divinum*, no necessity requiring the same to be done. They therefore that so speak of this *Government* as established by *Divine right*, are not all of them necessarily so to be understood, as if they meant it in that first and stricter sense. Sufficient it is for the justification of *the Church of England* in the constitution and government thereof, that it is (as certainly it is) of *Divine right* in the latter and larger signification: that is to say, of *Apostolical institution* and approbation; exercised by *the Apostles* themselves, and by *other persons* in their times, appointed and enabled thereunto by them, according to the will of our Lord *Jesus Christ*, and by virtue of *the Commission* they had received from him. C VI,

VI. Which besides that it is clear from evident *Texts of Scripture*, and from the testimony of as ancient and *authentique Records* as the world hath any to shew for the attesting of any other part of *Ecclesiastical story*; it is also in truth a part of the established *Doctrin* of the *Church of England*: evidently deduced out of sundry passages in the *booke of Consecration*, (which book is Approved in the *Articles* of our Religion *Art. 36.* Confirmed by *Act of Parliament*, and Subscribed unto by all persons that have heretofore taken *Orders* in the Church, or *Degrees* in the University; ) and hath been constantly and uniformly Maintained by our *best Writers*, and by all the sober, orderly and Orthodox



doxe *sons of this Church*. The point hath been so abundantly proved by sundry Learned men, and cleared from the exceptions of *Novellists*; that more need not be said for the satisfaction of any intelligent man that will but first take the pains to read *the books*, and then suffer himself to be master of his *own reason*.

VII. Only I could wish, that they who plead so eagerly for the *jus divinum of the Lords day*, & yet reject (not without some scorn) *the jus divinum of Episcopacy*, would ask their own hearts (dealing impartially therein) whether it be any *apparent difference* in the nature of *the things* themselves, or in the strength of those *reasons* that have been brought for either, that leadeth them to have such

different judgments thereof; or rather some *prejudicate conceit* of their own; which having formerly fancied to themselves even as they stood affected to *parties*, the same *affections* still abiding, they cannot easily lay aside. Which *partiality* (for I am loath to call it *perversness*) of spirit, is by so much the more inexcusable in this particular; by how much *Episcopal government* seemeth to be grounded upon *Scripture-Texts* of greater pregnancy and clearness, and attested by a fuller *consent of Antiquity* to have been Uniformly and Universally observed throughout the whole *Christian world*, then *the Lords day* hath hitherto been shewen to be.

VIII. But should it be granted that all *the defenders of Episcopacy* did

did indeed hold it to be *jure divi-*  
*no* in the strictest and most proper  
 sence; yet could not *the Objectors*  
 thence reasonably conclude, that  
 it should be *eo nomine* inconsistent  
 with *the Regal power*, or so much  
 as derogatory in the least degree  
 to that *Supream power Ecclesiasti-*  
*cal*, which by the Laws of our  
*Land* is established, and by the doc-  
 trine of our *Church* acknowledged  
 to be inherent in *the Crown*. As  
 themselves may easily see, if they  
 will but consider

IX. *First*, that *Regal* and *Epi-*  
*scopal* power are two powers of  
 quite different kinds: and such as  
 considered purely in those things  
 that are proper and *essential* to ei-  
 ther, have no mutual *relation* un-  
 to, or *dependence* upon, the one  
 the other; neither hath either of  
 C 3 them

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them any thing to do with the other. The one of them being *purely spiritual and internal*, the other *external and temporal*: albeit in regard of the *Persons* that are to exercise them, or some *accidental circumstances* appertaining to the exercise thereof, it may happen the one to be somewayes *helpful* or *prejudicial* to the other; yet is there no necessity at all that the very *powers themselves* in respect of their own natures should be (at that distance) either of them so *destructive* of other, but that they might consist well enough together. Yea although either of them or both should claime (as indeed they both may do) to be of *divine right* independently upon the other. Let any man come up to the point, and shew  
if

if he can, how and wherein *the Episcopal power* is any thing at all diminished by affirming *the Regal* to be of divine right; or how and wherein *the Regal power* is at all Prejudiced, by affirming *the Episcopal* to be of divine right. The opposition between those two Terms, *To be from Heaven* and *To be of Men*, which was objected, cometh not home enough; unless we should affirm them both of one and the same power *in the same respect*. Which since we do not; that opposition hindereth not, but that *the same power* may be said to be of both *in divers respects*, viz. to be *from Heaven*, or of God, in respect of *the substance* of the thing in the general; and yet to be *of Men* in respect of *the determination* of sundry particularities

rities requisite unto the lawful and laudable *exercise* thereof.

X. *Secondly*, that the derivat<sup>i</sup>on of any *power from God* doth not necessarily infer the *non-subjection* of the persons in whom that *power* resideth to all other men. For doubtless the power that *Fathers* have over their children, *husbands* over their wives, *masters* over their servants, is *from Heaven, of God* and not of Men. Yet are *Parents, Husbands, Masters* in the exercises of their several respective *powers* subject to the *power, jurisdiction* and *Laws* of their lawful *Sovereigns*. And I suppose it would be a very hard matter for any man to find out a clear and satisfactory reason of difference between the *Ecclesiastical* power and the *Oeconomical*: why the one, be-

because it claimeth to be of *Divine Right* should be therefore thought to be injurious to *Regal power*, and *the other* (though claiming in the same manner) not to be injurious.

XI. *Thirdly, the Ministerial power*, in that which is common to *Bishops* with their fellow-*Presbyters*, viz. *the Preaching of the Word and administration of the Sacraments, &c.* is confessed to be from *Heaven and of God*; and yet no prejudice at all conceived to be done thereby to *the Regal Power*: because *the Ministers* who exercise that power are *the Kings subjects*, and are also in the executing of those very acts that are proper to their *Ministerial functions* to be limited and ordered by *the Kings Ecclesiastical Lawes*. A man might there-

therefore justly wonder, ( but that it is no new thing to find in *the bag of such Merchants*, as we have now to deal with, *pondus & pondus*, ) how it should come to pass that *the Episcopal Power*, in that which is peculiar to *Bishops* above other their brethren in the Ministry, *viz. the Ordaining of Priests and Deacons and the managing of the Keyes*, cannot be said to be of *God*, but it must be forthwith condemned to be highly derogatory to *the Regal Power*: notwithstanding *the Bishops* acknowledge themselves as freely as any others whosoever, to be *the Kings subjects*, and submit themselves, with as much willingness ( I dare say, and some *Presbyterians* know I speak but the truth ) as the meanest of their *fellow-Ministers* do, to be limited in exercising



fin<sup>g</sup> the proper *Acts* of their *Episcopal Functions* by such *Laws* as have been by *Regal Power* established in this Realm. The King doth no more challenge to himselfe as belonging to him by vertue of his *Supremacy Ecclesiastical*, the power of *Ordaining Ministers*, *Excommunicating* scandalous offenders, or doing any other act of *Episcopal Office* in his own person; then he doth the power of *Preaching*, administering the *Sacraments*, or doing any other act of *Ministerial office* in his own person: but leaveth the performance of all such *Acts* of either sort unto such *persons*, as the said severall respective *powers* do of divine right belong unto; *viz.* of the one sort to the *Bishops*, and of the other to all *Preists*. Yet doth the King by  
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virtue of that *Supremacy*, challenge a power as belonging unto him in the right of his Crown, to make *Laws* as well concerning *Preaching*, administering the *Sacraments*, and other *acts* belonging to the function of a *Priest*, as concerning *Ordination* of Ministers, proceedings in matters of *Ecclesiastical* cognisance in the *Spiritual Courts*, and other *acts* belonging to the function of a *Bishop*. To which *Laws*, as well the *Priests* as the *Bishops*, are subject, and ought to submit to be limited and regulated thereby in the exercise of those their several respective *Powers*; their claim to a *Jus divinum*, and that their said several powers are of God, notwithstanding. I demand then: As to the *Regal Power*, is not the case of the  
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*Bishops* and of *the Ministers* every way alike? Do they not both pretend their *Powers* to be of *God*? And are they not yet for all that both bound in *the exercise* of those powers to obey *the King* and his *Laws*? Is there not clearly the same reason of both? How then cometh it to pass, that these are pronounced innocent, and those guilty? Can any think *God* will wink at such foul *partiality*? or account them *pure with the bag of deceitful weights*?

XII. *Fourthly*, that there can be no fear of any danger to arise to the prejudice of *the Regal power* from the opinion that *Bishops* are *jure divino*, unless that opinion should be stretched to one of these *two* constructions: *viz.* as if it were intended either 1. that *all the Power* which

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*Bishops* have legally exercised in Christian Kingdomes did belong to them as of *divine right*; or 2. that *Bishops* living under *Christian Kings*, might at least exercise so much of their power as is of *divine right* after their own pleasure, without, or even *against the Kings* leave, or without respect to the *Laws and Customs* of the Realm. Neither of which is any part of our meaning. All *power*, to the exercise whereof our *Bishops* have pretended, cometh under one of the *two* heads: of *Order*, or of *Jurisdiction*. The Power of *Order* consisteth partly in *preaching* the word and other offices of *publique VVorship*; common to them with their *fellow-Ministers*; partly in *Ordaining Preists and Deacons* admitting them to their *Particular Cures*

*Cures*, and other things of like nature; peculiar to them alone. The power of *Jurisdiction* is either *Internal* in retaining and remitting sins *in foro conscientia*, common to them also (for the *substance* of the authority, though with some difference of *degree*,) with other *Ministers*: or *External* for the outward government of the Church in some parts thereof peculiar to them alone. For that *external power* is either *Directive* in prescribing rules and orders to those under their jurisdictions, and making *Canons* and *Constitutions* to be observed by the Church; wherein the *inferior Clergy* by their Representatives in *Convocation* have their votes as well as the *Bishops*; and both dependently upon the *King* (for they cannot  
either

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either meet without his *VVrit*, or treat without his *Commission*, or establish without his *Royal Assent*;) or *Judiciary* and *Coercive*, in giving sentence *in foro exteriori* in matters of Ecclesiastical cognisance, *Excommunicating*, *Fining*, *Imprisoning* offenders, and the like. Of these powers some branches, not onely in the exercise thereof, but even in the very substance of the Power it selfe, (as namely that of external jurisdiction coercive,) are by the *Laws* declared, and by the *Clergy* acknowledged to be wholly and entirely derived from the King, as the sole fountain of all authority of external Jurisdiction whether *Spiritual* or *Temporal* within the Realm; and consequently not of divine right. Other- some, although the substance

stance of the power it self be immediately *from God* and not *from the King*, as those of *Preaching, Ordaining, Absolving &c.* Yet are they so subject to be inhibited, limited, or otherwise regulated in the *outward exercise* of that power by *the Laws and Customs* of the Land, as that the whole execution thereof still dependeth upon *the Regal Authority*. And how can *the gross* of that Power be prejudicial to *the King* or his *Supremacy*, whereof *all the parts* are confessed either to be *derived* from him, or not to be *executed* without him?

XIII. *Fifthly*, that if *Episcopacy* must be therefore concluded to be repugnant to *Monarchy*, because it claimeth to be of *divine Right*: then must *Monarchs*

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either suffer within their dominions no form of *Church-government* at all (and then will *Church*, and with it *Religion*, soon fall to the ground;) or else they must devise some *new model of Government*, such as never was yet used or challenged in any part of the Christian world; since no form of *Government* ever yet used, or challenged, but hath claimed to a *Jus divinum* as well as *Episcopacy*: yea, I may say truly, every one of them with far more noise, though with far less reason than *Episcopacy* hath done. And therefore of what party soever the objectors are, (*Papists, Presbyterians, or Independents*) they shew themselves extreamly *Partial* against the honest *Regular Protestant*; in condemning him as an enemy to  
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*Regal Power* for holding that in his way, which (if it be justly chargeable with such a crime,) themselves holding the very same in their several wayes, are every whit as deeply guilty of, as he.

XIII. *Lastly*, that this their *partiality* is by so much the more inexcusable, by how much the true *English Protestant* for his government not onely hath a better title to a *Jus divinum* then any of the other *three* have for theirs; but also pleadeth the same with more *caution* and *modesty*, then any of them do. Which of the *four Pretenders* hath the best title, is no part of the business we are now about. The tryal of that will rest upon the strength of the *arguments* that are brought to maintain it: wherein the *Presby-*

*terians* perhaps will not find any very great advantage beyond the rest of those that contest for it. But let *the right* be where it will be; we will for the present suppose them all to have *equal title* (and thus far indeed they are *equal*, that every one taketh his own to be best: ) and it shall suffice to shew, that *the Jus Divinum* is pleaded by *the Episcopal party* with more calmness and moderation, and with less derogation from *Regal Dignity*, then by any other of *the three*.

XV. For *First*, the rest when they spake of *Jus Divinum* in reference to their several waves of *Church-Government*, take it in the highest elevation, in the first and *strictest sense*. The *Papist* groundeth *the Popes Oecumenical-Supremacy*

macy upon Christs command, to Peter to execute it, and to *all the Flock* of Christ (*Princes* also as well as others) to submit to him as their *universal Pastor*. The *Presbyterian* cryeth up his Model of Government and Discipline, (though minted in the last by-gon Century,) as the *very scepter of Christs Kingdome*, whereunto all *Kings* are bound to submit theirs; making it as unalterable and inevitably necessary to the being of a Church, as the Word and Sacraments are. The *Independent Separatist* also, upon that grand principle of *Puritanisme* common to him with the *Presbyterian* (the very root of almost all the *Sects* in the world) *viz* That nothing is to be ordered in Church-matters, other, or otherwise then Christ hath ap-

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pointed in his Word; holdeth that *any company* of people gathered together by mutual consent in a Church-way is *Jure Divino* free and absolute within it self, to govern it self by such *rules* as it shall judge agreeable to Gods Word, without dependence upon any but *Christ Jesus* alone, or subjection to any *Prince, Prelate,* or other *human person* or *Consistory* whatsoever. All these you see do not onely claim to a *Jus Divinum*, and that of a very high nature; but in setting down their opinions weave in some expresses tending to the diminution of the *Ecclesiastical Supremacy* of Princes. Whereas *the Episcopal party*, neither meddle with *the power of Princes*, nor are ordinarily very forward to press the *Jus Divinum*,  
but

but rather purposely *decline* the mentioning of it, as a term subject to misconstruction (as hath been said) or else so *interpret* it, as not of necessity to import any more than *an Apostolical institution*. Yet *the Apostles* authority in that institution, being warranted by *the example*, and (as they doubt not) *the direction* of their Master *Jesus Christ*, they worthily esteem to be so reverend and obligatory; as that they would not for a world have *any hand* in, or willingly and deliberately contribute *the least assistance* towards (much less bind themselves by *solemn League and Covenant to endeavour*) the extirpation of that *Government*; but rather on the contrary hold themselves in their consciences obliged, to the uttermost of their po-

#### 40 *Episcopacy not Prejudicial*

wers to endeavour *the preservation* and continuance thereof in these *Churches*, and do heartily with *the restitution* and establishment of the same, wheresoever *it is not*, or wheresoever it hath been heretofore (under any whatsoever pretence) unhappily *laid aside*, or *abolished*.

XVI. Secondly, the rest (not by *remote inferences*, but) by immediate and *natural deduction* out of their own acknowledged *principles*, do some way or other deny *the Kings Supremacy in matters Ecclesiastical*: either claiming a power of *Jurisdiction* over him, or pleading a privilege of *Exemption* from under him. The *Papists* do it both wayes; in their several doctrines of *the Popes Supremacy*, and of *the Exemption of the Clergy*.  
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*The Puritanes* of both sorts, who think they have sufficiently confuted every thing they have a mind to mislike, if they have once pronounced it *Popish* and *Antichristian*, do yet herein (as in very many other things, and some of them of the most dangerous consequence) symbolize with the *Papists*, and after a sort divide that branch of *Antichristianisme* wholly between them: *The Presbyterians* claiming to their Consistories as full and absolute spiritual Jurisdiction over Princes, (with power even to excommunicate them, if they shall see cause for it,) as the *Papists* challenge to belong to the Pope: And the *Independents* exempting their Congregations from all spiritual subjection to them, in as ample manner, as the

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*Papists* do their *Clergy*. Whereas the English *Protestant Bishops* and *Regular Clergy*, as becometh good *Christians* and good *Subjects*, do neither pretend to any *Jurisdiction* over the *Kings* of England, nor withdraw their *subjection* from them: but acknowledge them to have *Sovereign Power* over them, as well as over their other subjects; and that in all matters *Ecclesiastical* as well as *Temporal*. By all which it is clear, that the *Jus Divinum* of *Episcopacy*, as it is maintained by those they call (*stylo novo*) the *Prelatical party* in England, is not an opinion of so dangerous a nature, nor so derogatory to the *Regal Powers*, as the *Adversaries* thereof would make the world believe it is: but that rather, of all the forms of  
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*Church-government* that ever yet were endeavoured to be brought into *the Churches of Christ*, it is the most innocent in that behalf.

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### THE III. SECTION

*In Answer to the later  
Objection.*

I. **H**AVING thus cleared the *Opinion* held concerning *Episcopacy* in the Church of England from the crime unjustly charged upon it by the Adversaries, (but whereof in truth themselves are deeply guilty) in their *former Objection*: our next business will be the easier, to justify it in the  
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*Practise* also from the like charge laid against it in *the later Objection*, by shewing that *the Jurisdiction* exercised by the *Bishops* within this Realm, (and namely in that particular which *the Objectors* urge with most vehemency, of acting so many things in their own names,) is no way derogatory to *the Kings Majesties Power or Honour*. Wherein it were enough for the satisfaction of every understanding man, without descending to any farther *particularities*, to shew the impertinency of *the Objectors* from these two general Considerations.

II. *First* that *the Bishops* have exercised no *Jurisdiction in foro externo* within this Realm, but such as hath been granted unto them by the successive *Kings of Eng-*

England; neither have challeng-  
ed any such *Jurisdiction* to belong  
unto them by any inherent right  
or title in their *persons* or *Callings*,  
but onely by emanation and de-  
rivation from the *Royal Authority*.  
The very words of the Statute  
*primo. Edw. 6.* in the objection  
mentioned run thus, *Seeing that*  
*all authority of jurisdiction Spi-*  
*ritual and Temporal is derized and*  
*deducted from the Kings Majesty*  
*as Supream head--and so justly ac-*  
*knowledged by the Clergy of the said*  
*Realms, and that all Courts Eccle-*  
*siaistical be kept by no other power or*  
*authority either forraign or within*  
*the Realms, but by the authority of*  
*his most Excellent Majesty &c.*  
Now the regular exercise of a  
*Derived power* is so far from de-  
stroying, or any way diminishing  
that

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that *Original power* from whence it is derived, as that it rather confirmeth and establisheth the same. Yea, the further such *derived power* is extended and enlarged in the exercise thereof, so as it be *regular*, (that is, so long as it containeth it self within the bounds of its *grant*, and exceedeth not the limits prefixed thereunto by that *Original power* that granted it) the more it serveth to set forth the honour and greatness of that *Original power*; since the vertue of the *efficient Cause* is best known by the greatness of the *effect*: for *propter quod unumquodque est tale, illud ipsum est magis tale*. As the *warmth* of the room doth not lessen the *heat* of the fire upon the hearth, but is rather a signe of the *greatness* of that heat:

heat: nor doth the abundance of *sap* in *the branches* cause any abatement in *the root*, but is rather an evident demonstration of the greater *plenty* there.

III. *Secondly*, that it is one of the greatest follies in the world, to endeavour in good earnest to maintain any thing by *argument* when we have the evidence of *Sence* or *Experience* to the contrary. For what is it *cum ratione insanire*, if this be not? To deny fire to be *hot*, or water to be *moist*, or snow to be *white*; when *our senses* enform us they are such? Or to prove by argument that *life* may be perpetuated by the help of *art* and good *diet*, or that *infants* are capable of *faith* or *instruction* by ordinary means; when *Experience* sheweth the contrary:

trary. Now *the Experience* of above fourscore years, ever since the beginning of *Queen Elizabeths* Raign, doth make it most evident, that the exercise of *Episcopal Jurisdiction* by the Protestant *Bishops* here, was so far from diminishing *the power*, or eclipsing *the glory* of the Crown, that *the Kings* and *Queens* of England never enjoyed their *Royal power* in a fuller measure, or flourished with greater lustre, *honour* and prosperity, then when *the Bishops* (by their favour) enjoyed the full liberty of their *Courts, jurisdictions, honours and priviledges* according to ancient grants of former *Kings* and *the Lawes and Customes* of England. On the other side; in what condition of *power* and *honour* (other:

(otherwise then in the hearts of his *oppressed Subjects*) our most pious and gracious *Sovereign* that now is hath stood, and at this present standeth, through the prevalency of the *Smeſtymnian Faction*; ever since they had the opportunity and forehead from lopping off (as was at first pretended) some *luxuriant superfluities* (as they at least imagined them to be) in the *branches* of Episcopal Jurisdiction (as *High Commission, Oath ex officio, &c.*) to proceed to take away *Episcopacy* it self *Root and Branch*: it were a happy thing for us, if the lamentable Experience of these late Times would suffer us to be ignorant. So as we now look upon that short *Aphorisme* so usual with his Majesties Royal Father [ NO

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not as a *sentence* onely full of present *truth* when it was uttered; but rather as a sad *prophecy* of future *events*, since come to pass. The miseries of these wasting divisions both in *the Church* and *Common-wealth* we cannot with any reason hope to see an end of, until it shall please Almighty God in his infinite mercy to a sinful nation, to restore them both (*King* and *Bishops*) to their Antient, Just and Rightful *power*: and in order thereunto graciously to hear *the weak prayers* of a small oppressed Party, (yet coming from *loyal hearts*, and going *not out of feigned lips*) beyond the loud crying *Perjuries, Sacriledges, and Oppressions* of those that now exercise an Arbitrary Sovereignty over their fellow  
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low Subjects without either *Justice* or *Mercy*, together with the abominable *hypocrisie* and *disloyalty* that hath so long raigned in them and their adherents.

IV. Those two *general Considerations*, although they might (as I said) suffice to take away the force of *the Objection*, without troubling our selves, or the Reader with any farther answer thereunto: yet that *the Objectors* may not have the least occasion given them to quarrel the proceedings, as if we did purposely *decline a just tryal*, we shall come up a little closer, and examine more *particularly* every material point, in the order as they lye in *the Objection* aforesaid. And the *Points* are three.

1. That the manner used by

*the Bishops*, in sending out their Summons, &c. *in their own names*, is contrary to the form and order of *other Courts*.

2. That such *forms of Process* seem to have at first proceeded from the Usurped power of *the Bishops of Rome*, who laboured by all possible means to bring down *the Regal Power*, and set up *their own*.
3. That upon these very grounds the custome was altered by *Act of Parliament*, and a Statute made 1. *Edw. VI.* (howsoever since repealed and discontinued,) that all *Processes Ecclesiastical* should be made in *the Kings name*, and not in *the Bishops*.

V. As to *the first point*, true it is that the manner used by *the Bi-*

*Bishops* in the *Ecclesiastical Courts*, (*viz.* in issuing out *Summons*, *Citations*, *Processess*, giving *Judgments* &c. in *their own names*, and not in *the Kings*,) is different from the manner used in *the Kings Bench*, *Exchequer*, *Chancery*, and fundry other Courts. But that difference neither doth of necessity import an *independency* of the *Ecclesiastical Courts* upon *the King*, nor did in all probability arise at the beginning from the opinion of any such *independency*; nor ought in reason to be construed as a *disacknowledgement* of the Kings authority and *Supremacy Ecclesiastical*. For

VI. *First* there is between such Courts as are *the Kings own immediate Courts*, and such Courts as are not, a great difference in

this point. Of the former sort are especially *the Kings Bench* and *Chancery* : as also the Courts of *Common Pleas*, *Exchequer*, *Iustices of Goal-delivery &c.* In *the Kings Bench* the Kings themselves in former times have often *personally* sat; whence it came to have the name of *the Kings Bench* ; neither was it tyed to any particular place, but followed *the Kings Person*. At this day also all *Writs* returnable there run in this style, *Coram nobis*, and not ( as in some other Courts ) *coram Iustitiariis nostris* or the like : and all *judicial Records* there are styled, and *the Pleas* there holden entred, *Coram Rege*, and not *coram Iustitiariis Domini Regis* . Appeals also are made from *inferiour Judges* in other Courts to the *King in Chancery* ; because in the  
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construction of the Lawes the Kings *Personal Power* and *Presence* is supposed to be there: and therefore *Sub-pœna's* granted out of that Court, and all matters of *Record* passed there run in the same style *Coram Rege &c.* Forasmuch as in the *Judges* in these two Courts there is a more immediate representation of the Kings *Personal power* and *presence*, then in the *Judges* of those other Courts of *Common Pleas*, *Exchequer*, &c. Which yet by reason of his immediate *virtual power* and *presence* are the Kings *immediate Courts* too. In regard of which his immediate *virtual power*, although the style of the Writs and Records there be not *Coram nobis*, *Coram Rege*, as in the former, but onely *Coram Justitiariis*, *Coram*

*Baronibus nostris, &c.* yet inas-  
much as *the Judges* in those Courts  
are the Kings *immediate sworn Mi-*  
*nisters* to execute justice, and to  
do equal right to all the Kings  
people *in his name*, therefore all  
*Processes, Pleas, Acts and Judge-*  
*ments* are made and done in *those*  
*Courts*, as well as in the two for-  
mer, *in the Kings name*. But in such  
*Courts* as do not suppose any  
such *immediate* Representation or  
presence of the Kings either *per-*  
*sonal* or *virtual* Power, as that  
thereby they may be holden and  
taken to be *the Kings own immedi-*  
*ate Courts*, the case is far other-  
wise. For neither are *the Judges* in  
those Courts sworn *the Kings*  
*Judges*, to administer Justice and  
do right to the Kings subjects *in*  
*his name and stead* : nor do they  
take

take upon them the authority, to *cite* any person, or to give any *sentence*, or to do any *a&t* of Jurisdiction *in the Kings name*; having never been by him authorized so to do. Of this sort are amongst others (best known to them that are skilled in *the Laws* of this Realm) all *Courts-Baron* held by the Lord of a Manner, *Customary Courts of Copyholders*, &c and such *Courts* as are held by the Kings grant, by *Charter* to some *Corporation*, as to a *City, Borough*, or *University*; or els by long usage and *prescription* of time. In all which *Courts*, and if there be any other of like nature, *Summons* are issued out, and *Judgements* given, and all other *A&ts* and *Proceedings* made and done in the name of such persons as have chief authority

rity in the said Courts, and not in the name of *the King* : So as the styles run thus, *A. B. Major civitatis Ebor. N. M. Cancellarius Universitatis Oxon.* and the like ; and not *Carolus Dei gratia, &c.*

VII. Upon this ground it is that our Lawyers tell us out of *Bracton*, that in case of *Bastardy* to be certified by *the Bishop*, no inferiour Court, as *London, Yorke, Norwich*, or any other Incorporation can write to *the Bishop* to require him to certify: but any of the Kings Courts at *Westminster* (as *Common Pleas, Kings Bench &c.*) may write to him to certify in that case. The reason is, Because *Nullus alius præter Regem potest Episcopo demandare inquisitionem faciendam.* Which maketh it plain that *the Kings*



*immediate power* (either *personal*, or *virtual*) is by the Law supposed to be *present* in *Courts* of the one sort, not of the other: the one sort being *his own immediate Courts*, and the other not.

VIII. Now that *the Ecclesiastical Courts* wherein *the Bishops* exercise their Jurisdiction, are of *the latter sort*, I doubt not but our *Law-books* will afford plenty of arguments to prove it, beyond all possibility of contradiction or cavil. Which being little versed in those studies I leave for them to find out who have leisure to search *the books*, and do better understand the nature, constitution, differences and bounds of *the several Courts* within this Realm. One argument there is, very obvious to every understanding, (which because I shall have

have fit occasion a little after to declare, I will not now any longer insist upon,) taken from the nature of *the Jurisdiction* of *these Courts* so far distant from *the Jurisdiction* appertaining to *those other Courts*, that these are notoriously separated and in Common and vulgar speech distinguished from all other by the peculiar name and appellation of *the Spiritual Courts*. But *another Argument*, which those books have suggested, I am the more willing here to produce, for that it not only sufficiently *proveth* the matter now in hand, but is also very needful to be better known abroad in the world than it is, for the removing of a very *unjust censure*, which meerly for want of the knowledge of *the*  
*true*

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true cause, hath been laid upon  
the Bishops in one particular, to  
their great wrong and prejudice.  
It hath been much talked on, not  
only by the Common sort of people,  
but by some persons also of better  
rank and understanding, and im-  
puted to the Bishops as an act of  
very high insolency, that in their  
Processes, Patents, Commissions,  
Licences, and other Instruments  
whereunto their Episcopal Seale  
is affixed, so oft as they have oc-  
casion to mention themselves, the  
Style runneth ever more in the Plu-  
ral number [Nos G. Cantuar. Ar-  
chiepiscopus, Coram nobis, Salvo  
nobis--&c.] just as it doth in his  
Majesties Letters Patents and  
Commissions: thereby shewing  
themselves (say they) as if they  
were his Fellows and Equals. All  
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this great noise and clamour against *the pride of the Bishops* upon this score, proceedeth (as I said) meerly from the ignorance of the true *original cause and ground* of that innocent and ancient *usage*; and therefore cannot signify much to any reasonable and considering man, when that *ground* is discovered: which is this, *viz.* that every *Bishop* is in construction of our Laws a *Corporation*. For although *the Bishop* of himselfe and in his private and *personal capacity* be but a *single person* as other men are, and accordingly in his *letters* concerning his own particular affairs, and in all other his *actings* upon his own occasions and as a *private person* writeth of himselfe in *the singular number*, as other private men do; yet for as much as  
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in his publike *and politick capacity*, and as a *Bishop* in the Church of England, he standeth in the eye of the Law as a *Corporation*; the King not only alloweth him acting in *that capacity*, to write of himselfe in the *plural number*, but in all writs directed to him as *Bishop* (as in *Presentations*, and the like) bespeaketh him in the *plural number* [*Vestræ Diœcesis, vobis præsentamus &c.*] The *Bishop* then being a *Corporation*, and that by the *Kings* authority, as all other *Corporations* (whether *Simple* or *Aggregate*, whether by *Charter* or *Prescription*) are: it is meet he should hold his *Courts*, and proceed therein in the same manner and form (where there is no apparent reason to the contrary) as other *Corporations* do. And therefore

fore as it would be a high presumption for the *Chancellour and Scholars* of one of the *Universities*, being a *Corporation*, to whom the King by his Charter hath granted a *Court*, or for the *Major and Aldermen* of a City for the same reason, to issue *Writs* or do other *aets* in their Courts in the *Kings name*, not having any authority from the *King* or his grant, or from the *Laws and Customs* of England so to do: so doubtless it would for the same reason be esteemed a presumption no less intolerable for the *Bishops* to use the *Kings name* in their *proceses* and *judicial aets*, not having any sufficient *legal warrant* or authority for so doing.

IX. Which if it were duly considered, would induce any  
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reasonable man to beleive and confesse that this manner of proceeding *in their own names* used by *the Bishops* in their Courts, is so far from trenching upon *the Regal power* and authority, which is the crime charged upon it by *the Objectors*, that the contrary usage (unless it were enjoined by some *Law* of the Land, as it was in the Raign of King Edward the Sixth) might far more justly be charged therewithal. For the true reason of using *the Kings name* in any Court, is not thereby to acknowledge the emanation of *the power* or jurisdiction of that Court from, or the subordination of that *power* unto, *the Kings power* or authority, as *the Objectors* seeme to suppose; but rather to shew the same Court to be one of

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*the Kings own immediate Courts, wherein the King himfelfe is fupposed (in the conftruction of the Law) either by his personal or virtual power to be prefent, And the not ufing of the Kings name in other Courts, doth not infer, as if the Judges of the faid Courts did not act by the Kings authority, (for who can imagine that they who hold a Court by virtue of the Kings grant only, fhould pretend to act by any other then his authority?) but only that they are no immediate representatives of the Kings perfon in fuch their jurisdiction, nor have confequently any allowance from him to ufe his name in the exercife or execution thereof.*

X. *Secondly, there is another observable difference in this point,*



point, between *the Kings Common-law-Courts*, such as are most of those afore-mentioned, and those *Courts* that proceed according to the way of *the Civil Law*. If *the King* appoint a *Constable*, or *Earle-Marshal*, or *Admiral* of England: for as much as all tryals in *the Marshals Court* (commonly called *the Court of Honour*) and in *the Admiralty* are according to *the Civil Law*; all *Processes* therefore, *Sentences*, and *Acts* in those *Courts* go in the names of *the Constable*, *Earle-Marshal*, or *Admiral*, and not in *the Kings* name. Which manner of proceeding constantly used in *those Courts*, sith no man hitherto hath been found to interpret, as any diminution at all or dis-acknowledgement of *the Kings* Sovereignty over

the said *Courts*: it were not possible the same manner of proceeding in the *Ecclesiastical Courts* should be so confidently charged with so heinous a crime, did not the intervention of some *wicked lust* or other prevail with men of *corrupt minds* to become *partial judges of evil thoughts*. Especially considering that

XI. *Thirdly*, there is yet a more special and peculiar reason to be given in the behalf of the *Bishops* for not using the *Kings name* in their *Processes*, &c. in the *Ecclesiastical Courts*, then can be given for the *Judges* of any other the above-mentioned *Courts* (either of the *Common* or *Civil Laws*) in the said respect; arising (as hath been already in part touched) from the *different nature* of their

their several respective *Jurisdictions*. Which is, that the summons and other proceedings and acts in the *Ecclesiastical Courts* are for the most part in order to the *Ecclesiastical censures* and sentences of *Excommunication*, &c. The passing of which *sentences* and other of like kind, being a part of the *power of the Keyes* which our Lord *Jesus Christ* thought fit to leave in the hands of his *Apostles* and their *Successors*, and not in the hands of *Lay-men*; the *Kings of England* never challenged to belong unto themselves: but left the exercise of that *Power* entirely to the *Bishops*, as the lawful *Successors* of the *Apostles*, and inheritours of their *Power*. The regulating and ordering of that *power* in sundry *circumstances* concerning the out-

*ward exercise thereof in foro externo, the godly Kings of England have thought to belong unto them as in the right of their Crown; and have accordingly made Laws concerning the same, even as they have done also concerning other matters appertaining to Religion and the worship of God. But the substance of that power, and the function thereof, as they saw it to be altogether improper to their office and calling: so they never pretended or laid claim thereunto. But on the contrary when by occasion of the title of Supreme Head, &c. assumed by King Henry the Eighth, they were charged by the Papists for challenging to themselves such power and authority spiritual; they constantly and openly disavowed it to the whole world,*

world, *renouncing* all claim to any such power or authority: As is manifest; not onely from the allowed *writings* of many godly *Bishops*, eminent for their learning in their several respective times, in vindication of *the Church of England* from that calumny of the Papists; as Archbishop *Whitgift*, Bishop *Bilson*, Bishop *Andrews*, Bishop *Carleton*, and others: but also by the *Injunctions* of Queen *Elizabeth*, and the *admonition* prefixed thereunto; by *the 37<sup>th</sup> Art.* of the Church of England required to be *subscribed* by all that take *Orders* in the Church, or *Degrees* in the Universities; and by constant declared *judgement* and *practice* of the two late *Kings* of blessed memory, *King James* and *King Charles the 1<sup>st</sup>*. They who thus expressly

presly disclaimed the meddling with *Spiritual Censures* and the power of the *keyes*, cannot be rationally supposed to have thought their own *presence* (either *personal* or *virtual*) any way requisite in the *Courts* where such *Censures* were to be pronounced, and that power to be administered and exercised: and therefore doubtless could not deem it fit or proper, that in the *juridical proceedings* of such *Courts* their names should be used.

XII. The *second point* in the charge objected is, that this custome used by the *Bishops* in acting all things in the *Ecclesiastical Courts* in their own names grew at first from the exorbitant power of the *Popes*, who laboured what they could to advance their own great-

greatness by *exempting the Clergy* from all subjection to *Temporal Princes*, and setting up an *Ecclesiastical power* of Jurisdiction independent upon *the Secular* : and that *the Parliament* had that sence of it in the Raign of *King Edward the Sixth*, as the words of *the Statute* made *I. Edward V I.* for the altering of the said *Custome*, do plainly intimate.

XIII. In which part of *the Charge* there is at the most but thus much of Truth. 1. That *the Bishops of Rome* did not omit with all sedulity to pursue the grand design of that *See*, which was to bring all *Christian Princes* into subjection to it self. 2. That all the labouring for *the Exemption of the Clergy* from the *Secular Powers*, was in order to that design.

3. That

3. That *the Bishops* manner of using *their own names* in all acts of their *Jurisdiction*, (looked upon alone and *by it self* without any consideration of *the true reasons* thereof) doth carry, by so much the more, shew of serving *the Papal Interest*, then if they should do all *in the King's Name*, by how much the acknowledging the Kings *Supremacy-Ecclesiastical* is less apparent therein, then in the other. 4 That the want of such an exprels acknowledgement of *the King's Supremacy*, together with the jealousies *the State* had in those times over any thing that might seem to further or favour the *usurped Power of the Pope* in the least degree ; might very probably in this particular (as well as it did in some other things) occasion



caſion ſuch men as bear the greateſt ſway in managing the publick affairs in the beginning of that godly ( but young ) King's Raign, out of a juſt deteſtation of *the Papacy* to endeavour overhaſtily the abolishing of whatſoever was with any colour *ſuggeſted* unto them to favour of Popery, without ſuch due examination of *the* grounds of thoſe Suggeſtions as was requiſite in a matter of ſo great importance.

XIIII. This is all we *can* (perhaps more then we *need*) yield unto in this point of *the Charge*. But then there are ſome other things which we cannot eaſily aſſent unto : as *viz.*

I. That *this cuſtome had undoubtedly its original and growth from the Popes uſurped power.*  
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Which as we think it impossible for them to prove; so it seemeth to us the less probable, because by comparing of this course used in the *Ecclesiastical Courts* with the practise of sundry other Courts, some of like, some of different nature thereunto, we have already shewed the true reasons and grounds of the difference between some Courts and other some in this particular.

2. That it is a rag or relique of *Antichristian tyranny*. Which we believe to be altogether untrue. Not only for the reasons before specified, and for that the same is done in sundry other Courts, holden within this Realm without any note of *Antichristianisme* or *Popery* fastened thereupon: but also because it hath been constantly

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ly continued in *this Kingdome* (the short Raign of King Edward the Sixth only excepted) with the allowance of all the Protestants Kings and Queens of this Realm ever since the Reformation. Who, although they be ever and anon taxed by the Puritane-faction (unjustly and insolently enough) for want of a Thorough-Reformation, and leaving so much Popish trash unpurged in the point of worship and Ceremonies: yet have not usually been blamed by that party for being wanting to themselves in vindicating to the uttermost their Regal authority and Supremacy Ecclesiastical from the usurped power of the Bishops of Rome in any thing wherein they conceived it to be in any wise or degree concerned. As also because  
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this manner of proceeding in *the Courts Ecclesiastical* hath been constantly and without scruple of *Conscience* or suspicion of *Popery* used and practised by all our godly and Orthodoxe *Bishops*; even those, who have been the most zealous maintainers of *our Religion* against *the Papiſts*, and such as have particularly written against the *Antichristian* tyranny of the Pope, or in defence of *the Kings Supremacy* in matters Ecclesiastical; as *Jewel, Bilson, Abbots, Buckridge, Carleton*, and many others.

XV. But against all this that hath been said, how agreeable soever it may seem to *truth* and *reason*, may be opposed the judgement of the whole Realm in *Parliament* (*the Bishops* themselves also

also then sitting and voting as well as other the *Lords and Commons*) in the first year of the Raign of *King Edward the Sixth*, who thought fit by their *Act* to alter the aforesaid *form*, and that upon the *two* aforesaid grounds, viz. that it was contrary to the form and order of the *Common Law-Courts*, and according to the form and manner used in the time of the *usurped power of the Bishop of Rome*. Which being the last and weightiest point in the *Charge*, is the more considerable, in that besides its own strength, it giveth also farther strength and confirmation to the other two.

XVI. But for answer unto this argument drawn from the judgement of the *Parliament*, as it is declared

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clared in the Statute of 1. *Edm. 6.* I would demand of the *objectors*, where they place the chief strength of the *Argument*: whether in the authority of the *persons* (*viz.* the great *Assembly of State* convened in *Parliament*) so judging; or in validity of those *reasons*, which led them so to judge. If in this later, their *judgment* can weigh no more, then *the reasons* do whereon it is built; the frailty whereof we have already examined and discovered. If in *the Authority* of the Judges; we lay in the ballance against it the judgment of the Kingdome in *all the Parliaments* after the decease of *King Edward* for above fourscore years together: the first whereof repeated that Statute; and none of those that followed (for ought appeared)

peareth to us) ever went about to *revive* it.

XVII. If it shall be said *first*, That the enacting of *that Statute* by King *Edward* was done in order to the farther abolishing of *Pope-ry*, and the perfecting of *the Reformation* begun by his *Father* : I answer, that as it was a very pious care, and of singular example in so young a Prince, to intend and endeavour *the reformation of Religion* and *the Church* within his Realms ( for which even at this day we have cause to acknowledge the good providence of *Almighty God* in raising him up to become so blessed an instrument of his *glory* and our *good* : ) so on the other side we cannot doubt but that the business of *Reformation* under him was carried on with such mixture

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of *private ends* and other human *frailties* and *affections*, as are usually incident into the enterprising of *great affairs*, especially such as cannot be effected without the assistance of *many Instruments*. All of which in likelyhood being not of one *judgement* and *temper*, but having their several *inclinations*, *passions* and *interests* with great difference; the *product* of their endeavours (whatsoever sincerity there were in the *intentions* of the first mover) must needs be such, as the constitution of *the most prevalent instruments* employed in the work would permit it to be. The very name of *Reformation of Religion and manners*, and of abuses crept into the *Church or Commonwealth*, carrieth with it a great deal of outward glory and lustre, filling



filling the hearts of men with *expectations* of much happiness to ensue, and in that *hope* is evermore entertained with general applause, especially of the *vulgar sort*: because men look upon it as it were in the *Idea*, ( that is to say, as it is *fancied* and *devised* in the mind and imagination ) and abstractedly from those *impediments* and *inconveniences*, which when they come *ad practicandum* and to put their thoughts in execution, they shall be sure to meet withal more or less, to render the *performance* short of the *promise* and *expectation*.

XVIII. Now because *Reformation* is so much talked of in these evil dayes of ours, wherein thousands of *well-meaning people* have been seduced into *dangerous by-*

*paths* by that *specious Name*: it will not be amiss, ( though we may seem perhaps to digress a little for it ) to prompt the Reader to some *considerations*, that may incline him rather to *suspect* a thing to be *ill done*, then to be *confident* that it is *well done*, if he have no other *reason* of that *confidence* but this, that it is pretended to be done by way of *Reformation*.

XIX. It is considerable *first*, that *Reformation* is the usual vizard, wherewith men of insatiable *avarice* or *ambition* disguise their base unworthy *intentions*, that the ugliness thereof may not appear to vulgar eyes. Seldome hath any *Sacrilegious* or *Seditious* attempt appeared abroad in the world, and been countenanced either by the *Great ones* or the *Many*;

ny; which hath not been ushered in by this piece of *Hypocrisie*. Not to look further (backward or forward) for instances in both kindes, then to the Raigh of that King wherein *the Statute* so much insisted upon was made; It cannot be denied, but that during the Raigh of that religious and godly young King (without his knowledge as we verily hope and believe, or at most through the malicious suggestions and cunning insinuations of some that were about him) such *Sacriledges* were acted, and that under the name & pretence of *Reformation*, as have cast a very foul blemish upon our very *Religion*, especially in the eyes of our *Adversaries*, who have ever shewed themselves forward enough to impute the faults of *the*

*persons to the Profession.* And under the same pretence of *Reformation* were also masked all the *bloodshed, mitchiefs and outrages* committed by Kett and his seditious rabble in the same Kings Raig: insomuch as a great Oak whereat they appointed their usual *meetings*, and whereon ( by the just judgement of God ) himself the ringleader of that rebellion was afterwards *hanged*, was by them called *the Oak of Reformation.* By what was done *in those times*, (ill enough indeed, yet modestly in comparison of what hath been done *in ours* ) we may have a near guess what their meaning is, that are so eagerly set upon a *Thorough-Reformation* ( as they call it ) in the Church, in the Commonwealth, in the Universities: even to get  
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into their own *hands* and *disposal* all the Places and Offices of *power* or *profit* in them all. I dare not say, (for truly of some I *believe* the contrary, and *hope* the same of many more) that all those that joyn in *vote* or *act* with those plausible pretenders of *Reformation*, or *wish well* unto them in the simplicity of their hearts, are guilty of their abominable *hypocrisie*. But sure all experience sheweth, that in *great Councils* there are ever more some one or a few *δυναστες*, *active* and *cunning* men that are able by the reputation of their *wisdom* and abilities of *speech* to carry all businesses in the *vogue* even as themselves have beforehand closely contrived them: leading on the rest, as a *bell-weather* doth the whole *flock*, or as a

crafty *fore-man of a Jury* doth the whole dozen, which way soever they please; who follow tamely after (*quâ itur, non quâ eundum*) in an *implicit belief*, that that must needs be *the right way*, which they see *such skilful guides* to have taken before them.

XX. But say there were no such reserved secret *sinister ends* either in the *chief Agents* or their *Ministers*, but that a *just Reformation* were as really and sincerely *intended* by them all, as it is by some of them speciously *pretended*: yet is it considerable *Secondly*, how very difficult a thing it is, in the business of *Reformation* to stay at the right point, and not to *overdo*, by reason of that ἀμετρία τῆς ἀνδολεχῆς, whereby we are very apt in declining *one of the extreams* to fall in-  
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to the other, either in point of *opinion* or *practice*. In detestation of the heresie of *Nestorius*, who distinguished the *persons* in Christ, because he knew there were *two natures*; *Entyches* went so far as to *confound the natures*, because he knew there was but *one person*. And because the *Papists* by the multitude and pompousness of their *Ceremonies* had taken away much of the *inward vigour* of Gods *publick worship*, by drawing it too much *outward*; the *Puritanes* in opposition to them, and to reform that errour, by stripping it of all *Ceremonies* have left it so *bare*, that (besides the unseemliness) it is well nigh starved for want of convenient clothing. It is in the distempers of the *body politick* in this respect not much other.

therwise then it is in those of *the body natural*. In an *Ague*, when *the cold fit* hath had his course, the body doth not thence return to a *kindly natural warmth*, but fall-eth speedily into a *burning preternatural heat*, nothing less (if not rather more) afflictive then the former. And how often have *Physicians*, (not the unlearned *Empericks* onely, but even those best renowned for their *skill* and *judgement*,) by tampering with a *crazy body* to master the predominancy of some *noxious humour* therein, cast their patients ere they were aware under the tyranny of another and *contrary humour* as perillous as the former: or for fear of leaving too much *bad blood* in the veins, have letten out too much of *the vital spirits* with-  
all?



all? Onely the difference is, that in *bodily diseases* this course may be sometimes profitably experimented, and with good success; not onely out of *necessity*, when there is no other way of cure left, (as they use to say, *Desperate diseases must have desperate remedies*;) but also *out of choice*, and in a rational way; as *Hippocrates* adviseth in the case of some *cold diseases* to cast the patient into a *burning fever*, which he calleth  $\pi\upsilon\rho\ \pi\omicron\iota\omicron\iota\upsilon$ . And I remember to have read somewhere to that purpose such an Aphorisme as this, *Utile est in nasci febrem in spasmo*. But for the remedying of *Moral* or *Politick* distempers, it is neither *warrantable* nor *safe* to try such experiments: Not *warrantable*; because we have no such *rule* given us in  
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the Word of God whereby to operate: nor *safe*; because herein *the Mean* onely is commendable, all *Extreams* (whether in *defect* or *excess*) vitious. Now what *defects* or *excesses* there might be in *the Reformation of Religion* and *the Church* within these Realms during the Raigns of K. *Henry the Eighth*, *King Edward the Sixth*, and *Queen Elizabeth*; it doth not become me, neither is it needful, to examine. But sure it is, they that had the managery of those affairs in their severall respective times were ὁμοιοπαθεῖς ἡμῖν, made of *the same clay* with other men, subject to *infirmities* and *passions*, and to be byassed with *partial affections*, and those *affections* capable to be *enflamed* with zeal, *cooled* with delays, *enraged* by opposition, and  
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*allayed* by seasonable applications. And therefore although we cannot say for certain with what *affections* those *Reformers* in the beginning of *King Edward's* Raigh were steered in the whole business: yet it is very possible, and in this particular of *the Statutes*, (from the weakness of the *reasons* therein expressed) not improbable, that the jealousies they had of *the Papal power* so lately ejected might make them *more abundantly cautelous* and sollicitous to secure themselves thereagainst, then need required. Verily the temper of *those times* and men, and *the Reformation* made about those times *in other countreys* considered; we have far greater cause to bless God that in their then-*Reformation* in very many things they did not

not a *great deal worse*, then to blame them that in some few things they did not *a little better*, then they have done.

XXI. It is further considerable *Thirdly*, that where a *Reformation* is truly intended, and the thing it self intended by that *Reformation* to be established is also within a tolerable compass of *Mediocrity*; there may yet be such errour in the choice of *the means* to be used for the accomplishing of those intentions, as may vitiate *the whole work*, and render it blame-worthy. For although it be a truth so expressly affirmed by *the Apostle*, and so agreeable to the dictates of right reason [ *That we may not do any evil thing for any good end* ] as that I should scarce have believed it possible that any  
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man that pretended to be *Christian* or but *reasonable* should hold the contrary, had I not been advertised by very credible persons that some men of eminent place and power did so, by *distinguishing* (but beside the book, and where the *Law distinguisheth not*) between a *publick* and a *private good end*: yet the *eagerness* of most men in the pursuance of such ends as they are fully bent upon, and their *pride* of spirit disdaining to be crossed in their *purposes*, and impatient of meeting with any *opposition*; putteth them many times upon the use of *such means* as seem for the present best conducing to the ends they have proposed to themselves, without any sufficient care to examine whether such means be *lawful* or not. For either

ther they run on *headlong* and are resolved not to stick at any *nice-ties of conscience*, but being engaged in a *design* to go through with it *per fas & nefas* ; measuring *honesty* by *utility* : or els they gather up any thin *fig-leaves* where they can meet with them to hide the *deformity* of their actions if it were possible even from their own eyes ; and are willing their *affections* should bribe and cheat their *judgements* with any weak *reasons* to pronounce that *lawful* to be done which they have a mind to do, the secret *checks* and *murmurings* of their *consciences* to the contrary notwithstanding. Hence it is, that whereas men ought to conform all their *wills* and *actions* to the *exact rule* of Gods Word, they do so often in stead thereof  
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crooken *the rule* to make it comply with their *actions* and *desires*: raising such *doctrines* and conclusions from the sacred *Texts of Scripture* by forced inferences, as will best serve to give countenance to whatsoever they fancie to be, or please to call *Reformation*; and to whatsoever *means* they should use for the effecting of such *Reformation*, though it were by popular *tumults*, civil *war*, despising *Governours*, breaking *Oaths*, open *Rebellion*, or any other act how *unjust* soever and full of *disloyalty*. Which made Learned *Zanchy*, observing in his time how *Anabaptists* and all sorts of *Seſtaries*, that attempted to bring in any new and unheard of alteration in *Religion* into the Churches of Christ, by any means though

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never so seditious and unlawful, did yet justifie all their enterprises by this, that they were done in order to a more perfect Reformation, to cry out, *Ego non intelligo istam Reformatorem mundi Theologiam*. Whether this observation be so fitly applyable to those times of King Edwards Reformation, as the two former considerations were, I know not: I am sure it fitteth but too well to these evil times of ours, wherein the pretence of a Thorough-Reformation serveth as a foile to set off the blackest crimes that ever the Christian world was guilty of.

XXII. Lastly, say there should be nothing amils in any of the premises, but that *the intentions* were sincere, *the proceedings* moderate, and *the means* lawful: yet since



no wit of man is at the present able to foresee all *the inconveniences* that may ensue upon any great and suddain change of such *Laws* and *Customes* as have been long and generally observed, till *time* and *experience* discover them; it may very well (and not seldome doth) come to pass, that *the Reformation* intended for the remedying of some one *abuse*, or the preventing of some present apparant *inconvenience*, may open a gap to let in some other *abuses* or *inconveniences*, which (though yet *undiscerned*) may in time prove to be *more* and *greater*, then those that were sought to be remedyed. Physicians tell us that all *sudden changes* in the body are *dangerous*: and it is no otherwise in *the Church* and *State*. Which is the ground

of that *Maxime*, well approved of all wise men, if rightly understood, *Malum benè positum non movendum*: and of that other, so famous in the Ancient Councils, ἀρχαία ἥθη κρητεῖται, *Let the old Customs be observed*. And therefore *Aristotle* gravely censureth that *Law* made by *Hippodamus* the *Milesian* Law-giver, *That whosoever should devise any new Law for the common good should be rewarded by the State*, as a *Law* indeed foolish and pernicious, how specious and plausible soever it seemed at the first appearance: because (saith he) it would but encourage busie & active spirits to be alwayes innovating some thing or other in the *State*, which might finally tend to the subversion of all ancient *Laws and Customs*, and consequently

quently of the *whole Government* it self. Now that *the Reformation* in King *Edwards* dayes, as to this particular in *that Statute* concerned, was subject at least to this frailty, we may very probably gather (*a posteriori*) from this; that after it was once *repealed*, they that had to do in *the Reformation* ever since, thought it fit rather to let it *lye under* that repeal, then to *revive* it.

XXIII. There can be no doubt, but that to an *Objection* made from the force of a *Statute*, it is a sufficient *answer* (if it be true) to say that the said *Statute* hath been *repealed* and so continueth. Yet the adversaries of *Episcopacy* are so pertinaciously bent to hold their *Conclusion* in despite of all *Premises*, that they seem to be nothing

satisfied therewithal, but *dividing* the answer, turn *the former part* of it (*viz.* that of *the Repeal*) to their own advantage. For say they, that *Repeal* being made by Queen *Mary*, who was a professed *Papist*, and a Persecuter of *the Protestant Religion*, was certainly an *Act* of hers done in favour of *Poper*y; and so is a strong confirmation, that *the form* of proceeding formerly used by *the Bishops* in *the Ecclesiastical Courts*, prohibited by *the Statute of King Edward*, but restored by that her *Repeal*, was a *popish practice*, and more befitting *Papists* than *Protestants* to use.

XXIV. To return a full answer hereunto; *first* it shall be willingly granted, that Queen *Mary*, being a zealous *Papist*, did cause  
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that *Statute* made in the first of her *Brothers* Raign to be *repealed* out of pure zeal to the *Romish Religion*, and in favour of the *Pope* and of his *Jurisdiction*. Both because she conceived (which was true) that her late *Brother* being a *Protestant* had by that *Statute* prohibited the *Bishops* to do sundry things in their own names, of purpose thereby to lessen the *Popes* authority within his Realms: as also because their using of the *Kings* name in their *Processes* and *Acts* carried with it (as we formerly granted) a more expresse and evident acknowledgement of the *Kings* Supremacy ecclesiastical, then the contrary custom doth.

XXV. But then *secondly*, this being granted, it will by no means follow either *first*, that the repeal of

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that *Statute* is not to be valued by any *Protestant*; or that *secondly* the *custome* of the *Bishops* prohibited by the *Statute* and restored by the *Act of Repeal* was *Papish*; or *thirdly*, that our former answer was insufficient: not the *first*, because we are not to look upon the *Statute* and upon the *Act of Repeal*, as they were made, the one by a *Protestant* the other by a *Papist* (for that were to judge κατ' ἑαυτὴν, and with respect of persons;) but to consider whether the reasons whereupon the *Statute* was grounded were *in veritate rei* such, as that it ought not to have been repealed either by *Papist* or *Protestant*. Which reasons how they have been valued, appeareth upon the *post-fact* in this; that a *Papist Princess* by the principles of her *Religion* could do

no less then *repeal that Statute*, and  
 a *Protestant Princess* without pre-  
 judice to the principles of her Re-  
*ligion* might continue that *Repeal*.

XXVI. Not the second : be-  
 cause that very *Statute of I. Ed-  
 ward the Sixth*, by which it is or-  
 dained that all *Summons, Citations  
 and other Processess Ecclesiastical* be  
*made in the name and with the style  
 of the King*, doth it self sufficient-  
 ly absolve the contrary custome  
 formerly used by the *Bishops* act-  
 ing in their own names, from be-  
 ing either *Popish* or otherwise de-  
 rogatory to the *Kings Supremacy*.  
 Inasmuch as by *Proviso's* in the  
 said *Statute* the *Bishops* are still per-  
 mitted in some cases to use *their  
 own names* without any mention  
 at all to be made of the *King*: as  
 namely the *Archbishop of Canterbu-*  
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ry to grant *Faculties* and *Dispensations*; and every other *Bishop* to make *Collations*, *Presentations*, *Institutions* and *Inductions* of *Benefices*, *Letters of Orders* and *Dismissories &c.* under their own names and seals, as by the words of the said *Statute* doth plainly appear. Which sure would not have been permitted in any case, had the thing it self been by them conceived to have been simply and *de toto genere* either *Popish* or prejudicial to the *Regal Power*

XXVII. Not the *Third*: because they *disjoynt* our former *answer*, that they might make their advantage of the one piece of it severed from the other. For the strength of the *answer* (it being *copulative*) was not to lye in either part alone, but in both together



ther taken joyntly; and indeed more principally in *the later* part which they slightly put off, then in *the former* whereat they take advantage. We do not say that the objecting of *that Statute* is of little moment against us, because it was *repealed* by *Queen Mary* (though that *repeal* alone is sufficient to make it *void* and invalid as to all *effects in Law*: ) but because being then *repealed* it was never after *revived* in the Raigns either of *Queen Elizabeth*, *King James*, or *his Majesty that now is*: which sheweth that *the Act of Repeal* (as to the point now in dispute) was by them *approved* of, and intended to *continue* in force. And it will thence follow further and most clearly, that in the judgement of all these *wise* and

and *religious Princes*, there was a great difference between *the Papal* and *the Episcopal Jurisdiction*, as they had been either of them exercised within these Realms: and that *the Papal* was prejudicial to *the Regal Power* and Supremacy, but *the Episcopal* was not,

XXVIII. Neither doth that suffice which is put in by way of *Reply* hereunto, to alledge that *the continuance* of the old custome (after *the repeal* made) happened either through *inadvertency* of the *State*, or by reason of *the great power* some or other of *the Bishops* ever had with those *Princes*. For it cannot be doubted but that *the State*, having before them a *Precedent* of so late and fresh memory as the *Statute of 1. Edw. 6.* would at some time or other within the  
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space of *four score* years ( especially there being no want in those dayes of enough greedy *Great-ones* and factious *Disciplinarians* to remind them of it ) have taken a time to frame and pass a *Bill* for the reviving of *that Statute*: if they had deemed *the custome*, therein forbidden, *Popish* or derogatory either to *the Kings honour* or *power*, or had not rather found sufficient *reason* to perswade them that the said *Statute* was *inconvenient*, or at leastwise *useless*. And as for *the Bishops*, they that understand the condition of those first times well know that ( under *God* and his good *providence* ) they stood in a manner by the immediate and sole favour of *Queen Elizabeth*. *The Papists* on the one side hated them above all other sorts

forts of men, because of their *Religion*, and their *abilities* above all other men to defend it. On the other side *the Puritanes* who envied their *power*, and some *great ones* about the Court, who having tasted the sweet of *Sacriledge* in the times of *the two last Kings*, thirsted after the remainder of their *Revenues*, complied either with other, for their several respective ends, against *the Bishops*. Which being so, it had been the foolishhest thing in the world for *the Bishops*, to have used that *power* or *interest* they had with *the Queen* (upon whose *favour* or *displeasure* their whole livelyhood depended) for the procuring of her *consent* to any *Act* to be done in favour of them, that malice it self could with any colourable

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construction interpret either to favour of Popery, or to trench upon the Royal Supremacy: That *Queen* having both by her sufferings before, and actions after she came to the Crown, sufficiently witnessed to the world her averfeness from Popery: and being withall a Princess of a great Spirit, and particularly jealous in the point of Prerogative.

XXIX. Whence I think we may (with good reason) conclude, that the ancient custome of the Bishops in making Summons, &c. in their own names, after it was by the Act of Repeal 1. Mar. restored, was continued by *Queen Elizabeth* and her successors ever since without interruption, or reviving of the Statute of King Edward: neither out of any inadvertency in the

*the State, nor through any importune or indirect labouring of the Bishops, as by the Objectors is weakly presumed; but advisedly and upon important considerations, viz. that the devising of such a new way, as is set forth and appointed in the said Statute, was not only a needless thing, (and Laws should not be either made, or altered, but where it is needful so to do,) but subject also to manifest both inconvenience, and Scandal.*

XXX. That it was altogether *needless* to change *the old Custome* may appear by this, that all the imaginable *necessity* or *utility* of such a change could be onely this: To secure *the King* by using his *Name* in their Processes &c. (as a *real acknowledgement* that their *Jurisdiction* is derived from him and

no other) that *the Bishops* had no intention in the exercise of their *Episcopal power* to usurp upon his *Ecclesiastical Supremacy*. Which *Supremacy* of the King, and *Superiority* of his Jurisdiction & Authority over that which *the Bishops* exercised, being already by so many other ways and means sufficiently *secured*; it could argue nothing but an *impertinent jealousy*, to endeavour to strengthen that *security* by an addition of so poor and inconsiderable regard.

XXXI. *The Kings of England* are *secured* against all danger that may accrue to their *Regal power* from *Episcopal Jurisdiction* as it hath been anciently and of later times exercised in this Realm: *First* by the extent of their Power over the persons, and livelihoods

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of the *Bishops*, and over the whole *State Ecclesiastical*, as in the ancient right of the *Crown*, which how great it was, may appear by these three particulars.

XXXII. *First*, the *Collation* and *Donation* of *Bishopricks* together with the *nomination* of the per-

sons to be made *Bishops*,  
 See Stat. 25. in case they did by their  
 H. 8. 20;

I. Edw. 6. 2. *Writ of Conge d'eslier* permit the formality of *E-*

*lection* to others, did alwayes belong to the *Kings* of this Realm, both before and since the *Conquest*, as in right of their *Crown*. Our

learned *Lawyers* assure  
 Gok. 1. Instit. us, that all the *Bishop-*  
 2. Sect. 648. *ricks* of this Realm are

of the *Kings foundation*: that they were originally *donative*, and not *elective*: and that the full right  
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of *Investiture* was in *the King*, who signified his pleasure therein *per traditionem baculi & annuli*, by the delivery of *a ring* and *a Croſſer-ſtaff* to the person by him *ele-cted* and *nominated* for that office. The *Popes* indeed often aſſayed to make them *elective*, either by the *Dean* and *Canons* of *the Cathedral*, or by the *Monkes* of some principal *Abbey* adjoyning : but *the Kings* ſtill withſtood it, and maintained their *right* as far as they *could* or *durſt*. Inſomuch as *King Henry the Firſt* being earneſtly ſollicitated by *the Pope* to grant *the election* of *Biſhops* to the *Clergy*, *conſtanter allegavit* ( ſaith the ſtory ) and *verbis minacibus*, he ſtoutly and with threats reſuſed ſo to do, ſaying he would not for the loſs of his *Kingdome* loſe the

right of those *Investitures*. It is true that *King John*, a Prince neither fortunate nor couragious, being overpowred by *the Popes*, did by *Charter* in the Seventeenth year of his Raigh grant that *the Bishopricks* of England should be *eligible*. But this notwithstanding in the Raigh of *King Edward the Third*, it was in open *Parliament* declared and enacted, that to *the King and his heirs* did belong *the collation* of *Archbishopricks*, &c. and all other dignities that are of his *Advowson*; and that *the elections* granted by *the Kings* his progenitors were under a certain form and condition, *viz.* that they should *ask leave of the King* to elect, and that after the election made they should *obtain the Kings consent* thereunto; and not otherwise.

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XXXIII. Secondly, the King hath power, if he shall see cause, to *suspend* any *Bishop* from the execution of his *Office* for so long time as he shall think good: yea, and to *deprive* him utterly of the dignity and office of a *Bishop*, if he deserve it. Which power was *de facto* exercised both by Queen Mary and Queen Elizabeth in the beginning of their several Raigns upon such *Bishops* as would not conform to their Religion.

XXXIV. Thirdly, the Kings of England have a great power over the *Bishops* in respect of their *Temporalties*, which they hold immediately of the King per *Baroniam*; and which every *Bishop Elect* is to sue out of the Kings hands (wherein they remained after the decease of the former *Bishop* during

ring *the Vacancy*, ) and thence to take his *only restitution* into the same, making *oath and fealty* to the King for the same upon his *Consecration*. Yea, and after such *restitution of Temporalties and Consecration*, the King hath power to *seize* the same again into his own hands, if he see just cause so to do. Which *the Kings of England* in former times did so frequently practice upon any light displeasure conceived against *the Bishops*; that it was presented as a grievance by *the Arch-bishop of Canterbury* and the other Prelates by way of request to King *Edw.* 3. in *Parliament*, and thereupon a *Statute* was made the same *Parliament*, that thenceforth no *Bishops Temporalties* should be seized by *the King* with-

*Stat. for the  
Clergy 14.  
E. 3. cap. 3.*

without good caule. I finde cited by Sir Edward Coke out of the *Parliament Rolls* 18. H. 3. a *Record*, wherein the King straightly chargeth the *Bishops* not to intermeddle in any thing to the prejudice of his *Crown*; threatning them with seisure of their *Temporalties* if they should so do. The words are, *Mandatum est omnibus Episcopis quæ conventuri sunt apud Gloucestr'* (the King having before summoned them by writ to a *Parliament* to be holden at *Gloucester*) *firmiter inhibendo, quod sicut Baronias suas quas de Rege tenent diligunt, nullo modo præsumant concilium tenere de aliquibus quæ ad Coronam pertinent, vel quæ personam Regis vel Statum suum, vel Statum concilii sui contingunt; scituri pro certo quod si fecerint, Rex inde capiet se*

*ad Baronias suas, &c.* By which *Record*, together with other the premisses, it may appear, that the *Kings* by their Ancient right of *Prerogative* had sundry wayes power over the *Bishops* whereby to keep them in *obedience*, and to secure their *Supremacy* from all peril of being prejudiced by the exercise of *Episcopal Jurisdiction*.

XXXV. Yet in order to the utter abolishing of the *Papal usurpations* and of all pretended *forraign power* whatsoever in matters *Ecclesiastical* within these *Realms*, divers *Statutes* have been made in the Raigh of *King Henry the Eighth* and since for the further declaring and confirming of the *Kings Supremacy Ecclesiastical*. Wherein the acknowledgement of that *Supremacy* is either so expressly  
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contained, or so abundantly provided for; as that there can be no fear it should suffer for lack of further acknowledgement to be made by *the Bishops* in the style of their Courts. Amongst other, *First*, by *Statute* made 25. H. 8. 19. upon the submission and petition of *the Clergy* it was enacted, that no *Canons or Constitutions* should be made by *the Clergy* in their *Convocation* without the *Kings licence* first had in that behalfe, and his *royal assent* after: and likewise that no *Canon &c.* should be put in execution within the Realm that should be contrariant or repugnant to the *Kings Prerogative Royal, or the Customes, Lawes, or Statutes of the Realm.* Then *Secondly*, by the *Statute* of 1. Eliz. cap. 1. all such *Ecclesiastical Juris-*  
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*dictions, Priviledges, Superiorities and Pre-eminences, as had been exercised or used, or might be lawfully exercised or used by any Ecclesiastical power or authority was (declared to be) for ever united and annexed to the Imperial Crown of this Realm. And Thirdly, it was also in the same Statute provided, that the Oath of Supremacy (wherein there is contained as full an acknowledgement of the Kings Ecclesiastical Suprenacy as the wit of man can devise) should be taken by every Archbishop and Bishop &c. which hath been ever since duely and accordingly performed.*

XXXVI. *Lastly from receiving any prejudice by the Bishops and their Jurisdiction, the Regal power is yet farther secured, by the*



the subordination of the Ecclesiastical Laws and Courts to the Common Law of England, and to the Kings own immediate Courts. For although the Ecclesiastical Laws be allowed by the Laws of this Realm, and the proceedings in the Ecclesiastical Courts be by the way of the Civil and not of the Common Law: yet are those Laws and proceedings allowed with this limitation and condition, that nothing be done against the Common Law (whereof the Kings prerogative is a principal part) nor against the Statutes and Customes of the Realm. And therefore the Law alloweth Appeals to be made from the Ecclesiastical Courts to the King in Chancery: and in sundry cases, where a cause dependeth before a Spiritual

*ritual Judge, the Kings prohibition lyeth to remove it into one of his Temporal Courts.*

XXXVII. Having so many several ties upon *the Bishops* to secure themselves and their *Regal authority* from all danger that might arise from the abuse of the *Ecclesiastical Power* and *Jurisdiction* exercised by *the Bishops* in their *Courts* (by the ancient prerogative of their *Crown*, by the provisions of so many *Statutes and Oaths*, by the remedy of the *Common Law* :) *the Kings of England* had no cause to be so needlessly cautelous as to be afraid of a meere formality, *the Style of a Court*. Especially considering the importance of *the two Reasons* expressed in *the Statute of King Edward*, as the onely grounds of altering

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ing that *Style*, not to be such as would countervaile the *Inconvenience* and *Scandal* that might ensue thereupon.

XXXVIII. For whereas it was then thought convenient, to change the *Style* used in the *Ecclesiastical Courts*, because it was contrary to the form used in the *Common-Law-Courts* within this Realm, (which is one of the *Reasons* in the said *Statute* expressed :) it might very well upon further consideration be afterwards thought more convenient for the like reason to retain the accustomed *Style*, because otherwise the forme of the *Ecclesiastical Courts* would be contrary to the form of other *Civil-Law-Courts* within the Realm (as the *Admiralty*, and *Earle-Marshals Court*,) and of o-  
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ther *Courts* of the Kings grant made unto *Corporations*; with either of which, *the Ecclesiastical Courts* had a nearer affinity, then with *the Kings Courts of Record*, or other his own immediate *Courts of Common Law*. Nor doth there yet appear any valuable reason of difference, why Inconformity to *the Common Law-Courts* should be thought a sufficient ground for the altering of the forms used in *the Ecclesiastical Courts*; and yet the like forms used in *the Admiralty*, in *the Earle = Marshals Court*, in *Courts Baron*, in *Corporation-Courts &c.* should (notwithstanding the same inconformity) continue as they had been formerly accustomed without alteration.

XXXIX. If any shall alledge as some reason of such difference,  
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the other Reason given in the said Statute ; viz. that the form and manner used by the Bishops was such as was used in the time of the usurped power of the Bishop of Rome: besides that therein is no difference at all, (for the like forms in those other aforesaid Courts were also in use in the same time ; ) there is further given thereby great occasion of Scandal to those of the Church of Rome. And that two wayes: First, as it is made a Reason at all ; and Secondly, as it is applyed to the particular now in hand. First, whereas the Papists unjustly charge the Protestant Churches with Schism for departing from their Communion : it could not but be a great Scandal to them, to confirm them in that their uncharitable opinion

on of us, if we should utterly condemn any thing as *unlawful*, or but even forbid the use of it as *inexpedient*, upon this onely grouud or consideration, that the same had been used *in the times of Popery*, or that it had been abused by *the Papists*. And truly *the Puritanes* have by this very means given a wonderful *Scandal* and advantage to our *Adversaries*, which they ought to acknowledge and repent of: when transported with an indiscreet zeal they have cryed down sundry harmeles *Ceremonies* and *customes* as *superstitious* and *Antichristian*, onely for this that *Papists* use them. Whereas godly and regular *Protestants* think it agreeable to *Christian liberty*, *charity* and *prudence*, that in appointing *Ceremonies*, retaining  
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*ancient Customs*, and the use of all other *indifferent things* such course be held, as that their *moderation* might be known to all men; and that it might appear to their very *Adversaries*, that wherein they did receed from them or any thing practised by them, they were not thereunto carried by a *Spirit of contradiction*, but either cast upon it by some *necessity of the times*, or induced for just *reasons of expediency* so to do.

XL. But then *Secondly*, as that *Reason* relateth to the present business in particular, the *Scandal* thereby given is yet greater. For we are to know, that when *King Henry the Eighth* abolished the *Papal Power*, resuming in his own hand the ancient *rights of the Crown*, which the *Bishops of Rome* had unjustly usurped: he took  
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upon himselfe also that title which he then found used by *the Bishops of Rome*, but which none of his Progenitors *the Kings* of this Realm had ever used, of being *the Supream head of the Church* within his Dominions. This title continued during the Reign of his son *King Edward the Sixth*, by whom *the Statute* aforesaid was made, and is mentioned in that very *Statute*. Now albeit by that title or appellation was not intended any other thing, then that *Supremacy Ecclesiastical* which *the Kings* of this Land have, and of right ought to have, in *the governance* of their Realms over all persons and in all causes *Ecclesiastical* as well as other, and which is in *the Oath* of *Supremacy* acknowledged to belong unto them: yet *the Papists* took *Scandal* at the novelty



novelty thereof, and glad of such an occasion made their advantage of it, to bring a reproach upon our Religion; as if the Protestants of England were of opinion, that all Spiritual Power did belong unto the King, and that the Bishops and Ministers of England had their whole power of Preaching, administering the Sacraments, Ordaining, Excommunicating, &c. solely and originally from the King, as the members of the body live by the influence which the Head hath into them. Upon their clamours, that title of Supreme head and governour was taken into farther consideration in the beginning of Queen Elizabeths Raigh. And although that style in the true meaning thereof was innocent and defensible enough: yet for the avoiding of Scandal

and *Cavil*, it was judged more expedient that the word *Head* should thenceforth be laid aside, and the *style* run only *Supream Governour*; as we see it is in the *Oath of Supremacy* and other-where ever since, without mentioning the word *Head*; according to the intimations given in the *Queens Injunctions* and elsewhere in that behalfe. And it seemeth to me very probable, that for the same reason especially (besides those other reasons already given) it was thought fitter by Her then, and by her *successours* hitherto; that the *Bishops* in all their *Ecclesiastical Courts* and proceedings should act in their own names as formerly they had done, then that the *Statute of King Edward* should be revived, for doing it in the *Kings name*. For the sending  
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out processes &c. in order to *Excommunication* and other Church-censures *in the Kings name*, would have served marvellously to give colour, (and consequently strength, in the apprehension at least of weaker judgements) to that calumny wherewith *the Papists* usually asperse our Religion, as if *the Kings of England* took themselves to be proper and competent *Judges of Censures* meerly *spiritual* in their own persons, and the *Prelates* accordingly did acknowledge them so to be.

Thus have I shewen to the satisfaction (I hope) of the ingenuous and unprejudiced Reader, that *Episcopacy* is no such dangerous creature either in *the Opinion* or *Practice*, as some would make the world believe it is: but that *the Kings Crown* may stand fast enough

nough upon his *head*, and flourish in its full *verdure*, without plucking away or displacing the least *flower* in it, notwithstanding *Episcopacy* should be allowed to be of *Divine Right* in the highest sense, and *the Bishops* still permitted to make their *Processes* in *their own names* and not in *the Kings*. By this time I doubt not, all that are not willfully blind (for who so blind, as he that will not see?) do see and understand by sad experience, that it had been far better both with *King* and *Kingdome* then now it is, or (without Gods extraordinary mercy) is like to be in haste: if the enemies of *Episcopacy* had meant no worse to *the King* and his *Crown*, then *the Bishops* and those that favoured them did,

## A POST-SCRIPT to the Reader.

**W** Hereas in my Answer to the former of the two Objections in the foregoing Treatise, I have not any where made any clear discovery what my own particular judgement is concerning the Jus divinum of EPISCOPACY in the stricter sense, either in the Affirmative or Negative: and for want of so doing, may perhaps be censured by some to have walked but haltingly, or at least wise with more caution and mincing, then became me to do in a business of that nature; I do hereby declare,

1. That, to avoid the starting of more Questions then needs must, I then thought it fitter (and am of the same opinion still) to decline that Question, then to determine it either way: such determination being clearly of no moment at all to my purpose, and for the solving of that Objection.

2. That nevertheless, (leaving other men to the liberty of their own judgements) my opinion is, that EPISCOPAL GOVERNMENT is not to be derived meerly from Apostolical Practise or Institution: but that it is originally founded in the Person and Office of the Messias, our blessed Lord JESUS CHRIST. Who being sent by his Heavenly Father to be the great Apostle, [HEB. III. 1.] Bishop and Pastor [1 PET. II. 25.] of his Church, and anointed to that Office immediately after his Baptisme by JOHN with power and the Holy Ghost [ACT. X. 37-8.] descending thereupon

upon him in a bodily shape [ LUK. III. 22. ] did afterwards before his Ascension into Heaven, send and impower his holy Apostles, ( giving them the Holy Ghost likewise as his Father had given him ) in like manner as his Father had before sent him [ JOH. XX. 21. ] to execute the same Apostolical, Episcopal and Pastoral Office for the ordering and governing of his Church until his coming again : and so the same Office to continue in them and their Successours, unto the end of the world. [ MAT. XXVIII. 18--20. ] This I take to be so clear, from these and other like Texts of Scripture ; that if they shall be diligently compared together, both between themselves, and with the following practise of all the Churches of Christ, as well in the Apostles times as in the Purest and Primitive times nearest thereunto ; there will be left little cause, why any man should doubt thereof.

3. That in my Answer to the later Objection I made no use at all ( nor indeed could do ) of the Opinion of the Reverend Judges in that point, nor of his Majesties Proclamation grounded thereupon. For although the Proclamation had been extant Ten years before this task was imposed upon me ; yet I had never seen, nor so much as heard of the same in all the time before, nor yet in all the time since ; till about ten dayes ago I was advertised thereof, when these Papers were then going to the Press. Which, since they give so much strength to the main Cause, and so fully avoid the Objection ; I have followed the advise of some friends, and caused them to be printed herewithal.

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